

In re Patent Application of:  
**KYLE R. JENSEN**  
Serial No. **09/940,977**  
Filing Date: **8/28/2001**

### Remarks

Applicant and the undersigned would like to thank the Examiner for his efforts in the examination of this application. Reconsideration is respectfully requested.

#### I. New Claims 38-41

New Claims 38-41 have been presented herewith to more particularly point out that which Applicant regards as his invention.

Independent Claims 38 and 40 are directed to a method and system, respectively, of treating water. In both claims are recited steps and means for exposing water to ozone in sufficient quantity to oxidize nutrients therein to a form amenable to bioassimilation by a colony of attached algae. Following the ozone treatment the water is flowed over a floway containing attached algae, which remove the oxidized nutrients therefrom. The algae experience an enhanced photosynthetic activity upon bioassimilating the oxidized nutrients.

No new matter is believed to be entered with the presentation of these claims, as it is known in the art that ozone oxidizes nutrients in water, and that algae will uptake such nutrients more readily than prior to oxidation.

These claims are believed to define over the prior art, since no previous references or work known to the Applicant has combined the oxidation of nutrients using ozone with an aquatic plant uptake system, which has fulfilled a long-sought need for a bioremediation system that exhibits higher performance than previous systems.

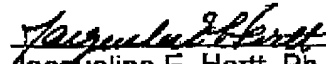
The dependent Claims 39 and 41 further define the nutrients that may be included in the water to be treated, namely, tannic and humic compounds. Again, it is well known in the art that such compounds are amenable to oxidation by ozone.

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**Conclusions**

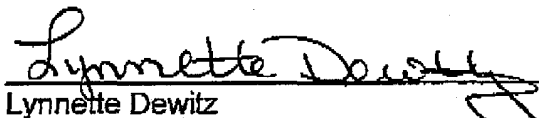
Applicant respectfully submits that the above amendments place this application in a condition for allowance, and passage to issue is respectfully solicited. The Applicant and the undersigned would like to again thank the Examiner for his efforts in the examination of this application and for reconsideration of the claims as amended in light of the arguments presented. If the further prosecution of the application can be facilitated through telephone interview between the Examiner and the undersigned, the Examiner is requested to telephone the undersigned at the Examiner's convenience.

Respectfully submitted,

  
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Jacqueline E. Hartt, Ph.D.  
Reg. No. 37,845  
ALLEN, DYER, DOPPELT, MILBRATH & GILCHRIST, P.A.  
255 South Orange Avenue, Suite 1401  
P.O. Box 3791  
Orlando, Florida 32802  
(407) 841-2330  
Agent for Applicant

**CERTIFICATE OF FACSIMILE**

I hereby certify that the foregoing is being delivered by facsimile transmission to Examiner Fred Prince, Group Art Unit 1724, fax number 1-703-872-9310, this 17<sup>th</sup> day of September, 2003.

  
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Lynnette Dewitz